

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO  
PETE V. DOMENICI UNITED STATES COURTHOUSE  
333 LOMAS BLVD, N.W., SUITE 660  
ALBUQUERQUE, NEW MEXICO 87102  
TELEPHONE: (505) 348-2280  
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JAMES O. BROWNING  
District Judge

July 28, 2023

Marc H. Robert  
P.O. Box 25271  
Albuquerque, NM 87125

Ronald Gainor  
10722 Ashford Circle  
Highlands Ranch, CO 80126

Jane Greek  
P.O. Box 15191  
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Jose R. Coronado  
125 W. Griggs Avenue  
Las Cruces, NM 88001

Maria Y. Armijo  
Randy M. Castellano  
Ryan Ellison  
United States Attorney's Office  
200 N. Church Street  
Las Cruces, NM 88001

Re: Defendant Robert Padilla's Motion for Recusal, Filed July 17, 2023  
(Doc. 103), in United States v. Padilla, et al., No. 22-CR-0634 JB

Counsel:

Given Defendant Robert Padilla's recently filed Motion for Recusal, filed July 17, 2023 (Doc. 103), I want to bring everyone up to date with recent information so that everyone has the same information and can make informed decisions whether I should remain on the case.

While I was in Berkeley, California, at an intellectual property seminar from Tuesday, May 23, 2023, to Friday, May 26, 2023, I received two calls from Deputy United States Marshal Sergio Hermosillo. In the first call, Deputy Hermosillo said that the U.S. Marshals tip line had received a call saying that the old threat against me (and perhaps others) was back on. I do not know if Deputy Hermosillo told me the tipster's name, but I have learned that it is Phillip Garcia. The



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Marshals tried to talk to Mr. Garcia, but he wanted to talk only to FBI Special Agent Bryan Acee. At some point, in the first call or the second call, Deputy Hermosillo told me that Agent Acee was out of town. To my knowledge, Agent Acee still has not talked to Mr. Garcia.

My memory is that, in the second call that week, Deputy Hermosillo told me that they consider this tip an inactive threat. Deputy Hermosillo has relayed that Agent Acee believes Mr. Garcia may not be truthful on this issue, but the Court has re-reviewed the Presentence Report for Mr. Garcia, filed June 24, 2016 (Doc. 94), in United States v. Garcia, No. 07-CR-0788 JB, and does not see any indication of mental health issues for Mr. Garcia. No one has implemented any additional security measures as a result of this tip.

I attach a letter from Mr. Garcia to me (postmarked February 17, 2021), filed March 10, 2021 (Doc. 195), in United States v. Garcia, No. 07-CR-0788 JB. I read the letter, as initialed with month and date in the lower right-hand corner, but it was not clear to me that he was talking about me. In any case, you can judge what his statements mean.

Also attached is a second letter that Mr. Garcia recently sent to me (postmarked June 7, 2023), filed June 9, 2023 (Doc. 225), in United States v. Garcia, No. 07-CR-0788 JB. I am not sure I saw the letter until the last couple of weeks; when the letter came in to the case administrator, it was filed under seal, because Mr. Garcia's attorney had asked that similar letters be filed under seal.

While everyone will need to judge for himself or herself, my opinion is that Mr. Garcia's tips about the alleged threats are not credible. While the U.S. Marshals have to take all threats seriously and investigate, they have not asked me to take any special precautions, and I do not, on my own, take any special precautions. My understanding is that Mr. Garcia has a brother in federal custody in California, and my impression is that he thinks Agent Acee can help his brother. That Mr. Garcia wants to talk to Agent Acee and not to the U.S. Marshals suggests to me that Mr. Garcia is more interested in helping his brother than helping protect me or anybody else. This revival of his old rumor is a ploy to get to talk to Agent Acee. I do not think Mr. Padilla has threatened to kill me or has wanted to kill me.

Let me know if anyone needs or wants more information from me.

Best regards,

James O. Browning  
United States District Judge

court date.

To: Honorable James O. Beamaning

AUSA DAVID WALSH

From: Phillip Angel Garcia

Rec'd

3/4/2021

RAB

3/7/21

This correspondence is regards to my current situation, which includes my cooperation with the United States on several issues, but most important my cooperation in a murder of a government informant, which was a assassination called upon by the Syndicato de Nuevo Mexico. This same group of Terrorist have now targeted a USA prosecutor and a FBI special agent.

I understand that at this moment it is essential that I stay alive long enough to testify in the assassination of Kenny Lucas, to which Robert Corbin Padilla and Gary Coca carried out the assassination for the SNM.

The purpose for this letter is to notify the court, the United States Atty and all Agencies, more specific the FBI and the DIA that after my completion of testifying in the murder case, I wish to continue to aid both the FBI and DIA in the fight against gangs and heavey drug movement.

I have now laid out a CAREER of gangs, drugs, violence and prison. The last 26 years I have been in a correctional facility or prison environment. Thus at these 26 years, just as your honer is a Genius at your job, and the prosecutor is expert in his field, I have also observed every aspect of gang drugs and

RAB 3/7/21

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prison. I can get to places not even the best Agent can get, with my record, my appearance, just my natural movements and speech. Im at the end of my sentence for the crimes I have committed and with my testimony my Federal sentence expires.

But in all honesty, I have 11 felony convictions, most violent offenses, and point blank its very very doubtful I can land a career at my age and record that I will be successful at.

I have many talents, but what I know most in life is the criminal aspect of life. I dont say this with pride, but just honesty. With the knowledge and understanding of the law I can be a very very productive informant both for the FBI and the DEA, not only here in NM but nationwide. With my appearance and natural speech I can get into impossible places no Agent can.

Im may sound strange but I take pride knowing that I am taking part in dismanteling the SNM and returning the plot to murder /assalt government officials.

As I stated, we have our deal with the government and my testimony on the instant CASE and after I have no criminal matters pending, and with that I can work as a informant, which is

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what I am asking to be considered for.

In all honesty, 26 years of prison and being involved in gangs and drugs since a very young age there is not much I don't know about the lifestyle.

I understand that at this moment I must stay alive long enough to testify on the Lucas murder, and I don't make believe I can save or change the world, but I can make a huge difference and use what Satan has used for bad and turn it into good.

There is not one single thing I can say I have done right in my life, but being a CI, I know I can help the government in an extreme way. I plan on also writing a book about my entire life, to include a book that I hope can be used in every penal institution for officers both old and new can equal out the force in corrections. Again 26 years in prison, there is not much I don't know about prison. I thank you for your time and help in this matter.

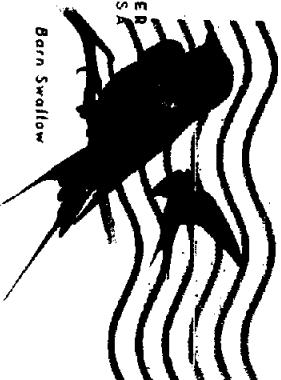
RESPECTFULLY,

Kathy Garcia

**Correctional Facility** Jefferson County  
**Private Name** WILLIAM GRACIA  
**Address** 35 Decatur St  
**City/State/Zip** Gaines, NC 27301

ALBICO JEROME NM 870

17 FEB 2021 PM 35



United States Federal Constitution

Honorable James O. Browning

333 Lomas Blvd NW

Albuquerque, New Mexico

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MATERIAL

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cm scf

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**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

07cr788 JB

Honorable Judge James O. Browning  
JUN 09 2023 from Phillip Angel Garcia 40092-051MITCHELL R. ELFERS  
CLERK

Honorable Judge Browning,

Sir please be

Advised I Have Now Taken The Steps  
 OF NOTIFYING THE USMS AND THE FBI  
 AS ONE AGAIN THE SNM AND CERTAIN  
 OTHER MEMBERS ARE PLOTTING AGAINST  
 FEDERAL AUTHORITIES AS YET AGAIN MORE RICO  
 CASES HAVE BEEN MOUNTED.

I Previously Advised My Lawyer AT  
 THE TIME SUSAN BURGESS FARRELL THAT THE  
 GOVERNMENT AND AUTHORITIES WERE MISTAKEN IF  
 THEY BELIEVED THE SNM WERE DEFUNCT.

I PROVIDED JESSE YOUNG, "LOGO", IKI YOUNG AND  
 "PANTILLOS" NAME AS THE UP AND COMING  
 MEMBERS TO TAKE CHARGE.

Unfortunately My Information Was  
 HALTED AS THE BUREAU DECIDED MY HELP  
 WAS NO LONGER NEEDED BECAUSE I messied  
 UP AND DISCLOSED TO CERTAIN MEMBERS  
 OF MY FAMILY OF MY COOPERATION WITH  
 THE FBI.

I Now Know A Justina Garcia

Z

whom Is From Las Vegas New Mexico and was involved with Robert Corbin Padilla, Is The Family member whom disclosed this To Robert Padilla. She Is Married To My Cousin Brandon Garcia. This female must Be Brought To Authorities Attention As She Is One Involved With Robert Padilla and Is The Route of Roberts continued crimes.

A Johnathan Padilla, whom Is The Family Member of Robert Padilla, whom Is The Ace Witness In My pending Case, Has Fabricated This Case Against Me, SAYING I Had A Firearm And Bullet Proof Vest.

I was Contacted By Robert Padilla ~~and~~ my Brother, whom IS IN THE FBOP was Threatened IF I Do Not Recant my statements In Regards To The Murder case of "Leroy Luceo" AKA Smurf and they wish my involvement In helping them In plans TO pursue these relentless efforts TO Harm Government officials.

AT FIRST I took things just AS ,IF I Don't Recant ,I will Be

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Falsly convicted, which I am not stressing as  
Video footage clearly shows I never had  
Body Armor nor a weapon, Jonathan  
Padilla, on Roberts orders set me up.

But I was in communication with  
several FBOP inmates whom confirmed the  
SNM plans. Raul Leon "Hucco Scream", Big Joe  
and Big Al confirmed the SNM is again  
plotting. And Robert Padilla said he wanted  
another informant murdered, to be shot  
with a 227 rifle just as "Smurf" was  
assassinated.

So Judge Browning I am informing  
you as the Young Brothers and their crew  
are awaiting RICO cases in front of  
you, precautions should be well taken  
and as I learn more I will immediately  
disclose to the FBI.

Again for my cooperation, I ask  
nothing in return, except as the first  
time, I was not believed at first, and  
I wish for all the facts come to  
light about Robert Padilla's family  
member Jonathan Padilla setting me up

on my open case . Thank You For Your  
Time And your Help.

/ RESPECTFULLY,

Philip Morris

Philip Grier  
100 Deputy Dean Meier SW  
Albuquerque NM 87151

**RECEIVED**  
UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JUN 09 2023

MITCHELL R. ELFERS  
CLERK

Albuquerque NM 87102

87102-227470

